

COPY

DMW



UNITED STATES PATENT AND TRADEMARK OFFICE

015280-342100US

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/554,960	DAVID C KASLOW	15280-3421PC

INTERNATIONAL APPLICATION NO.
PCT/US98/25742

LA. FILING DATE	PRIORITY DATE
04/12/1998	12/05/1997

KEVIN L BASTIAN
 TOWNSEND AND TOWNSEND AND CREW
 TWO EMBARCADERO CENTER
 8TH FLOOR
 SAN FRANCISCO, CA 94111

CONFIRMATION NO. 6829

371 FORMALITIES LETTER



OC000000012099660

Date Mailed: 03/15/2004

Response Due 5/15/04 *338*
Sequence a: D1

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- Additional claim fees of **\$290** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$290** for a Large Entity:

- Total additional claim fee(s) for this application is **\$ 290**
 - **\$290** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/554,960	PCT/US98/25742	15280-3421PC

DT02 Rec'd PCT/PTO 17 MAY 2004

FORM PTO-1390 (REV. 1-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 015280-342100US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/554,960
INTERNATIONAL APPLICATION NO. PCT/US98/25742	INTERNATIONAL FILING DATE December 4, 1998	PRIORITY DATE CLAIMED 12/05/97	
TITLE OF INVENTION VACCINES FOR BLOCKING TRANSMISSION OF PLASMODIUM VIVAX			
APPLICANT(S) FOR DO/EO/US David KASLOW, Takafumi TSUBOI and Motomi TORII			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
Items 11 to 20 below concern document(s) or information included:			
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information:			
<ul style="list-style-type: none"> • Copy of Letter to Vonda Wallace dated December 29, 2003; Copy of previous Fee Transmittal under 35 USC 371; Copy of Response to Communication Under 37 CFR 1.821-1.825 dated December 29, 2003; • Return Postcard • Express Mail No. EV 332016212US 			

RECEIVED

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/554,960	INTERNATIONAL APPLICATION NO. PCT/US98/25742	ATTORNEY'S DOCKET NUMBER 015280-342100US
--	--	--

<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a) (1) – (5)): Neither international preliminary examination fee (37 CFR 1.492) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1060.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$900.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$750.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$720.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00</p> <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT = \$</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;">\$</th> </tr> <tr> <td>Total claims</td> <td>52 - 20 =</td> <td>32</td> <td>x \$18.00</td> <td>previously paid</td> </tr> <tr> <td>Independent claims</td> <td>9 - 3 =</td> <td>6</td> <td>x \$84.00</td> <td>previously paid</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ 280.00</td> <td>previously paid</td> </tr> </table> <p style="text-align: right;">TOTAL OF ABOVE CALCULATIONS = \$</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. + \$352.00</p> <p style="text-align: right;">SUBTOTAL = \$</p> <p>Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$</p> <p style="text-align: right;">TOTAL NATIONAL FEE = \$</p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$</p> <p style="text-align: right;">TOTAL FEES ENCLOSED = \$</p> <table style="width:100%;"> <tr> <td style="width:70%; text-align: right;">Amount to be refunded:</td> <td style="width:30%;">\$</td> </tr> <tr> <td style="text-align: right;">charged:</td> <td>\$0</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	52 - 20 =	32	x \$18.00	previously paid	Independent claims	9 - 3 =	6	x \$84.00	previously paid	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 280.00	previously paid	Amount to be refunded:	\$	charged:	\$0	<p style="text-align: center;">CALCULATIONS PTO USE ONLY</p>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																					
Total claims	52 - 20 =	32	x \$18.00	previously paid																					
Independent claims	9 - 3 =	6	x \$84.00	previously paid																					
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 280.00	previously paid																					
Amount to be refunded:	\$																								
charged:	\$0																								

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 20-1430 in the amount of \$-_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

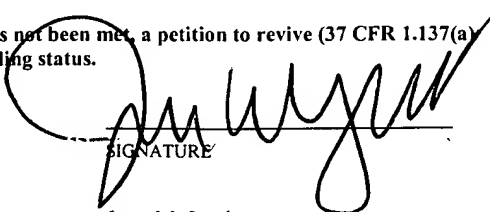
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a)
or (b) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kevin L. Bastian
Townsend and Townsend and Crew LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111



SIGNATURE

Jean M. Lockyer
NAME

44,879
REGISTRATION NUMBER

May 17, 2004
DATE

TOWNSEND
and
TOWNSEND
and
CREW
LLP

COPY

Palo Alto, California
Tel 650 326-2400

Walnut Creek, California
Tel 925 472-5000

San Diego, California
Tel 619 350 6100

Denver, Colorado
Tel 303 571-4000

Seattle, Washington
Tel 206 467-9600

San Francisco

Two Embarcadero Center
8th Floor
San Francisco
California 94111-3834
Tel 415 576-0200
Fax 415 576-0300

Direct: (415) 273-4756
kib@townsend.com

December 29, 2003

VIA U.S. POSTAL EXPRESS MAIL

Ms. Vonda M. Wallace
Mail Stop PCT
Commissioner of Patents
P.O. Box 1450
Alexandra, VA 22313-1450

Re: US Patent Application No. 09/554,960
For: Vaccines for Blocking Transmission of Plasmodium Vivax
Inventors: David C. Kaslow, et al.
Intl. Filing Date: December 4, 1998
Client Reference No.: E-019-98/1
Our File No.: 015280-342100US

Dear Ms. Wallace,

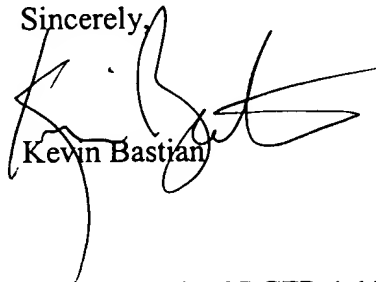
The enclosed documents are being filed in response to your instruction of December 3, 2003 with my assistant, Ms. Whitehurst. Enclosed for filing in the USPTO are the Declaration under 37 CFR §1.63 with Supplemental Application Data Sheet and Sequence Listing for the above-referenced application. As previously discussed, this application was held abandoned for failure to respond to the Notice of Missing Parts. The holding of abandonment was withdrawn in response to Applicants' Petition under 37 C.F.R. §1.181. A copy of the Decision on the Petition mailed September 5, 2003 is enclosed. A copy of the Declaration was previously submitted with the Petition under 37 CFR §1.181. A surcharge for filing the Declaration should not be necessary. If, however, such a fee is required, please deduct the fee from the firm Deposit Account.

It is our understanding that the USPTO is in the process of issuing a new Notification of Missing Requirements to replace *Notification of Defective Response* mailed September 16, 2003 (copy enclosed). In the interest of expediting this application, we are submitting the Declaration at this time.

In reviewing the Notification of Defective Response, we noted that the International filing date is incorrectly listed as April 12, 1998, the correct date is December 4, 1998. In addition, the Notification incorrectly states that there are 31 total claims in the above-referenced application. In fact, there are 32 claims. The correct fee calculation is set forth in the enclosed Transmittal Letter.

We believe that the enclosed documents should be sufficient to complete the filing of the above-referenced application. If there are any additional fees necessary to complete the filing, please charge them to the firm's Deposit Account No. 20-1430. If you have any questions about the enclosed documents, please feel free to contact me or my assistant, Stephanie Whitehurst.

Sincerely,



Kevin Bastian

KLB/sjw
Encls.

1. *Copy of* USPTO Decision on Petitions Under 37 CFR 1.181 and 37 CFR 1.137(a) dated September 5, 2003
2. Declaration for Utility Patent Application of Kaslow, Tsuboi and Torii
3. Supplemental Application Data Sheet
4. Copy of Notification of Defective Response dated September 16, 2003
5. Form PTO-1390 Transmittal Letter to the US Desig. Office Under 35 U.S.C. 371
6. Comm. Under 37 CFR 1.821-1.825 and Pre. Amend, printed sequence listing and sequence listing diskette.

60107729 v1

TO THE U.S. PATENT AND TRADEMARK OFFICE: Exp. Mail EV 332106482
US

DTOS Rec'd PCT/PTO 29 DEC 2003

Please stamp the date of receipt of the following
documents(s), and return this card to us.

Title of Document(s): Transmittal letter to Ms. Wallace (2 pgs.); Decision on Petitions (2 pgs.); Declaration (6 pgs.); Supp. Appl. Data Sheet (4 pgs.); Notif. of Defective Resp. (2 pgs.); Trans. Ltr. PTO-1390 (2 pgs.); Comm.. 37 CFR 1.821-1.825 and Pre. Amend (14 pgs.); printed seq. list. (14 pgs); sequence list. diskette.

Date Due: ---

Appln. No.: 09/554,960

Date Mailed: December 29, 2003

File No.: 015280-342100US

015280 -
342100US
KLB/dk/SJW



Track & Confirm

Shipment Details

You entered EV33 2016 212U S

Your item was delivered at 9:04 am on May 19, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON.

Here is what happened earlier:

- ARRIVAL AT UNIT, May 19, 2004, 7:49 am, DULLES, VA 20102
- ENROUTE, May 17, 2004, 7:05 pm, SAN FRANCISCO, CA 94125
- ACCEPTANCE, May 17, 2004, 5:22 pm, SAN FRANCISCO, CA 94111

Notification Options

▶ Track & Confirm by email [What is this?](#)

Go >

▶ Request Proof of Delivery [What is this?](#)

Go >



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

5/17/04
[Signature]

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)